

LEGAL REPRESENTATIVES OF LIEUTENANT THOMAS
WILLIAMS.

[To accompany Bill H. R. No. 255.]

MARCH 2, 1860.

Mr. FERRY, from the Committee on Revolutionary Claims, made the following

REPORT.

The Committee on Revolutionary Claims, to whom was referred the petition of the legal representatives of Lieutenant Thomas Williams, a revolutionary officer, report :

That this claim was favorably reported on the 26th day of March, 1858 ; that report, with the evidence, has been re-examined, and your committee, concurring entirely with that report, adopt it, and report a bill in all respects the same as the one then reported.

IN THE HOUSE OF REPRESENTATIVES, *March* 26, 1858.

Mr. DAWES, from the Committee on Revolutionary Claims, made the following report :

The Committee on Revolutionary Claims, to whom was referred the adverse report of the Court of Claims in the case of Jeremiah Williams and others, the children and grandchildren of Thomas Williams, a revolutionary officer, with instructions to report on the merits of said claim, having had the same under consideration, report :

That the claimants originally filed their petition in the Court of Claims, claiming the fulfilment of the contract made with their ancestor, for services performed, and embraced in certain resolutions of the continental Congress, set forth in the petition. Thereupon, the Court of Claims ordered testimony to be taken, which being done and filed in said court, the briefs of counsel were exchanged on which an issue was formed, and the case set down for trial on the trial docket of said court, which was in proper time reached in its order on the calendar, and submitted for the adjudication of said court on the facts and the law. The report of the Court of Claims in this case is like that in the case of Stokely, wherein the court find for the United States on the law of limitations merely. But the committee, according to their instructions, have examined minutely the evidence in this case. It appears that Thomas Williams was first commissioned quartermaster to the fourth New York regiment, by Colonels Wynkoop

and Courtlandt, on the second day of March, seventeen hundred and seventy-six, in pursuance of a resolve of the provincial Congress, respecting the staff officers of the New York regiments; and on the twenty-first of November, seventeen hundred and seventy-six, he was as appears by the original commission produced, signed by John Hancock, and Charles Thompson, secretary to Congress, commissioned by Congress quartermaster to the third battalion of the New York forces, in the army of the United States, which commission was to continue in force until revoked by that or a future Congress. It is admitted in the brief of the solicitor for the United States that he served as quartermaster to the 30th day of May, 1779, when he was settled with, as shown by the liquidation of his accounts, in depreciation of his pay, the real value of pay due being six hundred and four dollars thirty-five cents and eight mills. The New York balloting book, certified under seal of the secretary of state, is produced. At page 67, in the long list of commissioned officers, Thomas Williams is set down as lieutenant in the third regiment, and twelve hundred acres of land is awarded to him; one thousand on account of the State gratuity, and two hundred acres as the United States quota to a subaltern officer, for serving to the end of the war, promised by resolution of Congress September 16, 1776. The "explanation," on page 25, shows the State of New York settled with Lieutenant Williams for the continental bounty, and received his assignment thereto, which it is reasonable to infer the State would not have done had he not performed the required service to entitle him to said bounty. Your committee have looked into the returns of "*deranged*" officers, officers *resigned*, *invalids*, and *discharged men*, the *dead* of the several regiments, and there is no evidence that he left the service before the end of the war. The original letters patent furnish evidence that the twelve hundred acres of land were awarded to him as a lieutenant, which is a higher grade than quartermaster, as the one belongs to the staff and the other to the line. The court granted its order on the departments for testimony in favor or against this claim, and none is furnished, only that no officer by that name appears to have been settled with, or as being entitled to commutation or half-pay, or his name appearing anywhere on the books. The omission of his name may satisfactorily be accounted for in the Secretary of War's letter to the secretary of state of New York, under date July 27, 1803, wherein he says: "All returns of the New York line subsequent to the year 1781, and some of those made previous to that period, were consumed with the War Office, in November, 1800." The continental Congress required that a book should be kept for the registering of all commissioned officers. The claimants have shown and produced two original commissions, one from under the hand of the president of Congress, which was to continue until revoked. It is fairly presumable that these books, if in existence, would make out the claimant's case. But your committee are satisfied the claim is made out from the other testimony in the case, and they report a bill accordingly for the half-pay for life, the said Thomas Williams having died April 11, 1811. As to so much of the claim as is presented for depreciation on pay certificates, the committee do not report in its favor.